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Signed and Filed: January 10, 2020

*Dennis Montali*

DENNIS MONTALI  
U.S. Bankruptcy Judge

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16 **UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

17 **In re:**

18 **PG&E CORPORATION,**

19 **- and -**

20 **PACIFIC GAS AND ELECTRIC  
COMPANY,**

21 **Debtors.**

22  Affects PG&E Corporation  
23  Affects Pacific Gas and Electric Company  
24  Affects both Debtors

25 \* *All papers shall be filed in the lead case,  
No. 19-30088 (DM)*

26 Bankruptcy Case  
No. 19-30088 (DM)

27 Chapter 11  
(Lead Case) (Jointly Administered)

28 **ORDER APPROVING CORRECTED  
STIPULATION BETWEEN DEBTOR  
PACIFIC GAS AND ELECTRIC  
COMPANY AND HENRIETTA D  
ENERGY STORAGE LLC FOR LIMITED  
RELIEF FROM THE AUTOMATIC STAY**

[Relates to Dkt. Nos. 4850-4852]

[Resolving Motion Now Set for Hearing  
January 14, 2020 at 10:00 am]

1       On consideration of the *Corrected Stipulation Between Debtor Pacific Gas and Electric*  
2 *Company and Henrietta D Energy Storage LLC for Limited Relief from the Automatic Stay*, filed  
3 January 10, 2020 as Docket No. 5341 (the “**Stipulation**”),<sup>1</sup> between Henrietta D Energy Storage  
4 LLC (“**Henrietta**”) and Pacific Gas and Electric Company (the “**Utility**” or “**Debtor**”), one of the  
5 debtors and debtors in possession in the above-captioned chapter 11 cases (the “**Chapter 11**  
6 **Cases**”), entered in settlement of the *Motion of Henrietta D Energy Storage LLC for Entry of an*  
7 *Order Modifying the Automatic Stay to Permit Contract Termination* [Dkt. 4850] (the “**Motion**”);  
8 and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant  
9 to 28 U.S.C. §§ 157 and 1334, the Order Referring Bankruptcy Cases and Proceedings to  
10 Bankruptcy Judges, General Order 24 (N.D. Cal.), and Rule 5011-1(a) of the Bankruptcy Local  
11 Rules for the United States District Court for the Northern District of California, and to consider  
12 the Stipulation and its provisions pursuant to that same authority and Federal Rule of Bankruptcy  
13 Procedure 4001(d)(4); and consideration of the Motion, the Stipulation and the requested relief  
14 being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court  
15 pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found and determined that notice  
16 of the Motion as provided to the parties listed therein is reasonable and sufficient under the  
17 circumstances, and sufficient to afford reasonable notice of the material provisions of the  
18 Stipulation and opportunity for hearing; and it appearing that no other or further notice need be  
19 provided; and this Court having determined that the legal and factual bases set forth in the Motion  
20 establish just cause for approval of the Stipulation; and upon all of the proceedings had before this  
21 Court and after due deliberation and sufficient cause appearing therefor, and good cause appearing,

22       IT IS HEREBY ORDERED:

23       1.       The Stipulation is approved and resolves the Motion.  
24       2.       The hearing on the Motion shall be taken off calendar.  
25       3.       The automatic stay shall immediately be modified solely as follows:

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<sup>1</sup> Capitalized terms defined in the Stipulation shall have the same meaning in this Order.  
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1 a. To permit Henrietta to serve upon the Utility a notice of termination of the  
2 ESA; and

3 b. To require the Parties to resolve their dispute in accordance with the dispute  
4 resolution processes articulated in Article 22 of the ESA.

5 4. The automatic stay shall remain in place for all other purposes. Nothing in this  
6 Order shall permit Henrietta to enforce against the Utility, its estate, or its property any judgment  
7 it may obtain in its favor.

8 5. The outcome of the dispute resolution processes articulated in Article 22 of the ESA  
9 will be binding on both Parties. If the outcome results from a settlement, that settlement shall be  
10 subject to approval under the terms of the Order Pursuant to 11 U.S.C. §§ 363(b) and 105(a) and  
11 Fed. R. Bankr. P. 9019 Authorizing the Debtors to Establish Procedures to Settle and Compromise  
12 Certain Claims and Causes of Action, entered September 10, 2019, as Docket No. 3855 in case no.  
13 19-30088.

14 6. Any monetary award obtained by Henrietta will supersede the Henrietta Proof of  
15 Claim, which shall be deemed amended and allowed as an unsecured, non-priority claim in the  
16 amount of such award, if any.

17 7. Except as provided in Recital G of the Stipulation, nothing in the Stipulation or in  
18 this Order shall be deemed to diminish, modify, or alter in any way either Party's rights or  
19 arguments in the dispute resolution process.

20 APPROVED:

21 Dated: January 10, 2020

22 ,MORGAN, LEWIS & BOCKIUS LLP

23 */s/ Richard W. Esterkin*

24 Richard W. Esterkin  
25 *Attorneys for Henrietta D Energy Storage*  
LLC

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27 \* \* \* END OF ORDER \* \* \*  
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